

1FW



In The United States Patent And Trademark Office  
United States Department Of Commerce

Certificate of Mailing I hereby certify that this document and the documents referred to in it as being attached or enclosed herewith are being deposited with the US Postal Service as First Class mail, postage prepaid, in an envelop Addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April. 17, 2007.

 Applicant

Applicant: John Dash  
Application No. : 10/616,165  
Filing Date: 07/07/2003  
For: Low Temperature Nuclear Fusion  
Art Unit: 3663  
Examiner: Richardo J. Palabrica  
( aka Rick Palabrica)

A Supplemental Amendment  
Attempting To Supply Correction In Response To  
Untitled Communication Mailed 04/09/2007

Commissioner of Patents  
P.O. Box 1450  
Alexandria Va. 22313-1450

Sir:

The Applicant has just received an untitled Office communication mailed 4/09/2007 in this case indicating that the amendment and request for reconsideration filed 29 March 2007 was "non compliant" because a "complete listing of all of the claims is not present.". No other explanation of the non compliance was set forth.

It is believed that the noted communication may have been intended to refer to the fact that page 2 of this 29 March 2007 document contained 3 lines of typing

terminating the comments on the preceding page but, that because of the history of this application, it is also believed that the intention of it may have been to object to the heading "The Changes In The Claims" and/or to 4 or 5 lines of text indicating the numbers of the original claims which were being canceled and the numbers of the claims which were being inserted in the case. The original non-elected claim 5 was apparently inadvertently omitted from these lists of claims.

After consulting what is believed to be an accurate copy of 37 CFR 1.121(b)(5) it appeared to the Applicant that the "noncompliant" communication mailed 04/09/2007 may have been sent out because the earlier filed amendment contained an explanatory heading on the page which listed the claims which were being canceled from or added to the application or because it contained 4 lines of text in which these claims were specifically listed along with a few reasonably needed explanatory words. Under the circumstances the following pages of this document are intended to be and are believed to be in conformity with 37 CFR 1.121 (c)(1) in case this recent communication was motivated by any of the items mentioned.

In view of the content of 37 CFR 1.121(c) in an effort to avoid any further question it is noted that the original existing claims 1,2,3,4,6,7,8, 9, 10, 11, and 12 in the application have all been canceled and replaced by the new claims 13, 14, 15, 16, 17, 18, 19, and 20 set forth in full on the following pages. The original claim 5 drawn to a non elected species is not included in this tabulation.

In retyping the original claims 2 and 11 two minor problems have been encountered as a result a failure of to adequately conform the file copy of these claims reflect changes which may have been made in them at the time this application was executed prior to being filed It is believed that the original claim 2 was altered at that time so as to remove ", platinum" from the text of the claim. At the time this document

is being prepared this cannot be confirmed. Under the circumstances this word has been omitted from the following retyped copy of the claim 2. Similarly there is a question as to whether this application with the prefix "non" attached to the word "hydride" in line 10 of the claim. Since it believed that this prefix was crossed out it has been omitted in the following reproduction of the claim.

All of the new claims are designated as "not entered" since nothing has been received by the Applicant indicating that they have in fact been entered in the case. In addition claim 20 is noted as being "currently amended" since it was set forth in the 04/09/2007 PTO communication as being "non complaint" without mention of the complication of obvious errors in the preamble of the claim.

These errors were noted in the original Supplemental Amendment mailed to the PTO earlier in April 2007. Since the latter was mailed to the PTO only a short time prior to the preparation of this document it is not surprising that nothing has been heard from the PTO with respect to it. As noted in this prior Supplemental Amendment the errors corrected by the amendments to claim 20 are believed to be either typographical errors or mistakes in copying from a draft of this claim 20.

The following pages contain both the original and the current claims as they are now presented to the Office followed by the Applicant's signature. If there are ~~are~~ problems relative to the content of this document or the action currently taken whoever encounters these problems is respectfully requested to call the undersigned at (503) 724-4222 so that they can be resolved as expeditiously as reasonably possible.

*gR*  
4-14-07  
*gR*  
4-14-07

*gR*  
4-14-07